

(B) Any of the funds transferred to the Senators' Account from the Senators' Clerk Hire Allowance Account pursuant to subparagraph (A) which, prior to such transfer, had been obligated, but not expended, for any authorized item, activity, or expense, shall be available to pay for such item, activity, or expense in like manner as if such transfer had not been made.

(4) On January 1, 1988, there shall be transferred to the Senators' Account, from the appropriation account for "Agency Contributions", under the headings "SENATE" and "Salaries, Officers and Employees", so much of the moneys in such account as was appropriated for the purpose of making agency contributions for administrative, clerical, and legislative assistance to Senators with respect to compensation payable for the period commencing January 1, 1988, and ending September 30, 1988; and the moneys so transferred shall be available only for the payment of such agency contributions with respect to such compensation.

(5) Vouchers shall not be required for the disbursement, from the Senators' Account, of salaries of employees in the office of a Senator.

(6) Effective on and after October 1, 1997, the Senators' Account shall be available for the payment of franked mail expenses of Senators.

(Pub. L. 100-137, §1(a), Oct. 21, 1987, 101 Stat. 814; Pub. L. 105-55, title I, §3(b), Oct. 7, 1997, 111 Stat. 1180.)

#### REFERENCES IN TEXT

This section, referred to in pars. (1) and (2), means section 1 of Pub. L. 100-137, Oct. 21, 1987, 101 Stat. 814, which enacted this section, amended sections 58 and 61-1 of this title, and enacted provisions set out as notes under sections 58 and 61-1 of this title.

#### AMENDMENTS

1997—Par. (6). Pub. L. 105-55 added par. (6).

#### CONSTRUCTION OF 1997 AMENDMENT

Section 3(d) of Pub. L. 105-55 provided that: "Nothing in this section [amending this section and section 58 of this title, repealing section 58c-1 of this title, and enacting provisions set out as notes under sections 58 and 58c-1 of this title] affects the authority of the Committee on Rules and Administration of the Senate to prescribe regulations relating to the frank by Senators and officers of the Senate."

#### **§ 58c-1. Repealed. Pub. L. 105-55, title I, §3(c)(1), Oct. 7, 1997, 111 Stat. 1180**

Section, Pub. L. 101-520, title I, §12, Nov. 5, 1990, 104 Stat. 2260; Pub. L. 102-392, title III, §313, Oct. 6, 1992, 106 Stat. 1723; Pub. L. 103-69, title I, §3, Aug. 11, 1993, 107 Stat. 695, related to transfer of funds by Members of Senate from Senate Official Mail Costs Account to Senators' Official Personnel and Office Expense Account.

#### EFFECTIVE DATE OF REPEAL

Section 3(c)(2) of Pub. L. 105-55 provided that: "The amendment made by paragraph (1) [repealing this section] shall be effective on and after October 1, 1997."

#### **§ 59. Home State office space for Senators; lease of office space**

##### **(a) Procurement by Sergeant at Arms of Senate in places designated by Senator; places subject to use; lease of office space**

(1) The Sergeant at Arms of the Senate shall secure for each Senator office space suitable for

the Senator's official use in places designated by the Senator in the State he represents. That space shall be secured in post offices or other Federal buildings at such places. In the event suitable office space is not available in post offices or other Federal buildings, the Sergeant at Arms shall secure other office space in those places.

(2) The Senator may lease, on behalf of the United States Senate, the office space so secured for a term not extending beyond the term of office which he is serving on the first day of such lease, except that, in the case of a Senator whose term of office is expiring and who has been elected for another term, such lease may extend until the end of the term for which he has been so elected. Each such lease shall contain a provision permitting its cancellation upon sixty days written notice by the Sergeant at Arms and Doorkeeper of the Senate, in the event of the death or resignation of the Senator. A copy of each such lease shall be furnished to the Sergeant at Arms. Nothing in this paragraph shall be construed to require the Sergeant at Arms to enter into or execute any lease for or on behalf of a Senator.

##### **(b) Maximum amount of aggregate square feet for each Senator**

The aggregate square feet of office space secured for Senator shall not at any time exceed—

- (1) 5,000 square feet if the population of the State of the Senator is less than 3,000,000;
- (2) 5,200 square feet if such population is 3,000,000 but less than 4,000,000;
- (3) 5,400 square feet if such population is 4,000,000 but less than 5,000,000;
- (4) 5,800 square feet if such population is 5,000,000 but less than 7,000,000;
- (5) 6,200 square feet if such population is 7,000,000 but less than 9,000,000;
- (6) 6,400 square feet if such population is 9,000,000 but less than 10,000,000;
- (7) 6,600 square feet if such population is 10,000,000 but less than 11,000,000;
- (8) 6,800 square feet if such population is 11,000,000 but less than 12,000,000;
- (9) 7,000 square feet if such population is 12,000,000 but less than 13,000,000;
- (10) 7,400 square feet if such population is 13,000,000 but less than 15,000,000;
- (11) 7,800 square feet if such population is 15,000,000 but less than 17,000,000; or
- (12) 8,200 square feet if such population is 17,000,000 or more.

##### **(c) Maximum annual rental rate; maximum aggregate amount for acquisition of furniture, equipment, and other office furnishings**

(1) The maximum annual rate that may be paid for the rental of an office secured for a Senator not in a post office or other Federal building shall not exceed the highest rate per square foot charged Federal agencies on the first day of the lease of such office by the Administrator of General Services, based upon a 100 percent building quality rating, for office space located in the place in which the Senator's office is located, multiplied by the number of square feet contained in that office used by the Senator and his employees to perform their duties.

(2) The aggregate amount that may be paid for the acquisition of furniture, equipment, and

other office furnishings heretofore provided by the Administrator of General Services for one or more offices secured for the Senator is \$40,000 if the aggregate square feet of office space is not in excess of 5,000 square feet. Such amount is increased by \$1,000 for each authorized additional incremental increase in office space of 200 square feet. Effective beginning with the 106th Congress, the aggregate amount in effect under this paragraph for any Congress shall be increased by the inflation adjustment factor for the calendar year in which the Congress begins. For purposes of the preceding sentence, the inflation adjustment factor for any calendar year is a fraction the numerator of which is the implicit price deflator for the gross domestic product as computed and published by the Department of Commerce for the preceding calendar year and the denominator of which is such deflator for the calendar year 1998.

**(d) Senators subject to maximum amount of aggregate square feet and maximum annual rental rate**

(1) Notwithstanding subsection (b) of this section, the aggregate square feet of office space secured for a Senator who is a Senator on July 1, 1974, shall not at any time exceed, as long as he continuously serves as a Senator, the greater of—

(A) the applicable square footage limitation of such subsection; or

(B) the total square footage of those offices that the Senator has on such date and which are continuously maintained in the same buildings in which such offices were located on such date.

(2) The provisions of subsection (c) of this section do not apply to any office that a Senator has on July 1, 1974, not in a post office or other Federal building, as long as—

(A) that Senator continuously serves as a Senator; and

(B) that office is maintained in the same building in which it was located on such date and contains not more than the same number of square feet it contained in such date.

**(e) Omitted**

**(f) Mobile office**

(1) Subject to the provisions of paragraphs (2), (3), (4), and (5), a Senator may lease one mobile office for use only in the State he represents and the contingent fund of the Senate is available for the rental payments (including by way of reimbursement) made under such lease together with the actual nonpersonnel cost of operating such mobile office. The term of any such lease shall not exceed 3 years. A copy of each such lease shall be furnished to the Sergeant at Arms of the Senate.

(2) The maximum aggregate annual rental payments and operating costs (except furniture, equipment, and furnishings) that may be paid to a Senator under paragraph (1) shall not at any time exceed an amount determined by multiplying (A) the highest applicable rate per square foot charged Federal agencies by the Administrator of General Services in the State which that Senator represents, based upon a 100 per-

cent building quality rating, by (B) the maximum aggregate square feet of office space to which that Senator is entitled under subsection (b) of this section reduced by the number of square feet contained in offices secured for that Senator under subsection (a) of this section and used by that Senator and his employees to perform their duties.

(3) No payment shall be made under paragraph (1) for rental payments and operating costs of a mobile office of a Senator unless the following provisions are included in its lease:

(A) Liability insurance in the amount of \$1,000,000 shall be provided with respect to the operation and use of such mobile office.

(B) Either of the following inscriptions shall be clearly visible on three sides of such mobile office in letters not less than three inches high:

“UNITED STATES GOVERNMENT VEHICLE

“FOR OFFICIAL USE ONLY”;

OR

“MOBILE OFFICE OF SENATOR \_\_\_\_\_

“FOR OFFICIAL USE ONLY”.

The Committee on Rules and Administration of the Senate may prescribe regulations to waive or modify the requirement under subparagraph (B) if such waiver or modification is necessary to provide for the public safety of a Senator and the Senator's staff and constituents.

(4) No payment shall be made under paragraph (1) for rental payments and operating costs of a mobile office of a Senator which are attributable to or incurred during the 60-day period ending with the date of any primary or general election (whether regular, special, or runoff) in which that Senator is a candidate for public office, unless his candidacy in such election is uncontested.

(5) Payment under paragraph (1) shall be made on a monthly basis and shall be paid upon vouchers approved by the Sergeant at Arms of the Senate.

**(g) Effective date**

This section is effective on and after July 1, 1974.

(Pub. L. 93-371, § 3, Aug. 13, 1974, 88 Stat. 428; Pub. L. 94-32, title I, § 4, June 12, 1975, 89 Stat. 183; Pub. L. 94-59, title I, §§ 106(a), 107, July 25, 1975, 89 Stat. 276; Pub. L. 95-26, title I, § 105, May 4, 1977, 91 Stat. 83; Pub. L. 95-94, title I, § 112(d), Aug. 5, 1977, 91 Stat. 664; Pub. L. 96-304, title I, § 109, July 8, 1980, 94 Stat. 890; Pub. L. 99-88, title I, § 194, Aug. 15, 1985, 99 Stat. 349; Pub. L. 102-27, title II, Apr. 10, 1991, 105 Stat. 144; Pub. L. 102-90, title I, § 7(b), Aug. 14, 1991, 105 Stat. 451; Pub. L. 104-197, title I, § 3, Sept. 16, 1996, 110 Stat. 2397; Pub. L. 106-57, title I, § 3, Sept. 29, 1999, 113 Stat. 411; Pub. L. 108-7, div. H, title I, § 4(a), Feb. 20, 2003, 117 Stat. 349.)

**CODIFICATION**

Section is comprised of section 3 of Pub. L. 93-371. Subsec. (e) of section 3 of Pub. L. 93-371 amended section 58 of this title.

## AMENDMENTS

2003—Subsec. (f)(3). Pub. L. 108-7 inserted concluding provisions.

1999—Subsec. (b)(1). Pub. L. 106-57, §3(1)(A), added par. (1) and struck out former par. (1) which read as follows: “4,800 square feet if the population of his State is less than 2,000,000.”

Subsec. (b)(2). Pub. L. 106-57, §3(1)(A), (C), redesignated par. (3) as (2) and struck out former par. (2) which read as follows: “5,000 square feet if such population is 2,000,000 but less than 3,000,000.”

Subsec. (b)(3) to (12). Pub. L. 106-57, §3(1)(C), redesignated pars. (4) to (13) as (3) to (12), respectively. Former par. (3) redesignated (2).

Subsec. (b)(13). Pub. L. 106-57, §3(1)(C), redesignated par. (13) as (12).

Pub. L. 106-57, §3(1)(B), substituted “8,200” for “8,000”.

Subsec. (c)(2). Pub. L. 106-57, §3(2), substituted “\$40,000” for “\$30,000”, “5,000 square feet” for “4,800 square feet”, and “\$1,000” for “\$734” and inserted at end “Effective beginning with the 106th Congress, the aggregate amount in effect under this paragraph for any Congress shall be increased by the inflation adjustment factor for the calendar year in which the Congress begins. For purposes of the preceding sentence, the inflation adjustment factor for any calendar year is a fraction the numerator of which is the implicit price deflator for the gross domestic product as computed and published by the Department of Commerce for the preceding calendar year and the denominator of which is such deflator for the calendar year 1998.”

1996—Subsec. (f)(1). Pub. L. 104-197 substituted “3 years” for “one year” in second sentence.

1991—Subsec. (f)(1). Pub. L. 102-90, §7(b)(1), substituted “the contingent fund of the Senate is available for the rental payments (including by way of reimbursement)” for “shall be reimbursed from the contingent fund of the Senate for the rental payments”.

Subsec. (f)(2). Pub. L. 102-90, §7(b)(2), substituted “paid” for “reimbursed”.

Subsec. (f)(3). Pub. L. 102-90, §7(b)(3), substituted “payment” for “reimbursement”.

Subsec. (f)(3)(B). Pub. L. 102-27 added subpar. (B) and struck out former subpar. (B) which read as follows: “The following inscription shall be clearly visible on three sides of such mobile office in letters not less than four inches high:

“Mobile Office of Senator (name of Senator)

“FOR OFFICIAL OFFICE USE ONLY”.

Subsec. (f)(4). Pub. L. 102-90, §7(b)(4), substituted “payment” for “reimbursement”.

Subsec. (f)(5). Pub. L. 102-90, §7(b)(5), substituted “Payment” for “Reimbursement”.

1985—Subsec. (c)(2). Pub. L. 99-88 substituted “\$30,000” for “\$22,550” and “\$734” for “\$550”.

1980—Subsec. (a)(2). Pub. L. 96-304, §109(1), substituted provision limiting term of a lease of office space to a term not extending beyond the term of office which Senator is serving on first day of such lease, except in case of a Senator whose term is expiring and who has been elected to another term, to end of term for which he has been so elected, for provision limiting term of a lease of office space to a term of not to exceed one year and inserted provision requiring each lease to contain a provision permitting cancellation upon sixty days written notification by Sergeant at Arms and Doorkeeper of Senate, in event of death or resignation of Senator.

Subsec. (c). Pub. L. 96-304, §109(2), substituted “shall not exceed the highest rate per square foot charged Federal agencies on the first day of the lease of such office” for “shall not at any time exceed the applicable rate per square foot charged Federal agencies”.

1977—Subsec. (c)(2). Pub. L. 95-94 substituted “\$22,550” for “\$20,500” and “\$550” for “\$500”.

Subsec. (f)(5). Pub. L. 95-26 substituted “monthly” for “quarterly”.

1975—Subsec. (a). Pub. L. 94-59, §107, designated existing provisions as par. (1) and added par. (2).

Subsec. (c). Pub. L. 94-59, §106(a), designated existing provisions as par. (1) and added par. (2).

Subsecs. (f), (g). Pub. L. 94-32 added subsec. (f) and redesignated former subsec. (f) as (g).

## EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108-7, div. H, title I, §4(b), Feb. 20, 2003, 117 Stat. 350, provided that: “The amendment made by this section [amending this section] shall take effect on the date of enactment of this Act [Feb. 20, 2003] and apply to fiscal year 2003 and each fiscal year thereafter.”

## EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-90 effective Oct. 1, 1991, see section 7(c) of Pub. L. 102-90, set out as a note under section 58 of this title.

## EFFECTIVE DATE OF 1980 AMENDMENT

Section 109 of Pub. L. 96-304 provided that the amendment made by that section is effective Jan. 1, 1980.

## EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-94 effective Aug. 5, 1977, see section 112(f) of Pub. L. 95-94, set out as a note under section 58 of this title.

## EFFECTIVE DATE OF 1975 AMENDMENT

Section 106(b) of Pub. L. 94-59 provided that: “The amendment made by subsection (a) of this section [amending this section] is effective on and after July 1, 1975.”

### § 59-1. Additional home State office space for Senators; declaration of disaster or emergency

(a) Notwithstanding any other provision of law or regulation, with the approval of the Committee on Rules and Administration of the Senate, the Sergeant at Arms and Doorkeeper of the Senate is authorized to provide additional facilities, services, equipment, and office space for use by a Senator in that Senator's State in connection with a disaster or emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 U.S.C. 5121 et seq.]. Expenses incurred by the Sergeant at Arms and Doorkeeper of the Senate under this section shall be paid from the appropriation account, within the contingent fund of the Senate, for expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, upon vouchers signed by the Sergeant at Arms and Doorkeeper of the Senate with the approval of the Committee on Rules and Administration of the Senate.

(b) This section is effective on and after June 12, 1997.

(Pub. L. 105-18, title II, §7002, June 12, 1997, 111 Stat. 192.)

## REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (a), is Pub. L. 93-288, May 22, 1974, 88 Stat. 143, as amended, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

### § 59a. Repealed. Pub. L. 101-163, title I, § 103(b), Nov. 21, 1989, 103 Stat. 1050

Section, Pub. L. 93-462, §1, Oct. 20, 1974, 88 Stat. 1388, related to purchase of office equipment or furnishings by House Members.